

**RODRIGUEZ O'DONNELL
FUERST GONZALEZ & WILLIAMS**
WASHINGTON • CHICAGO • MIAMI • NEW YORK

20 NORTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE 312-372-7000
FACSIMILE 312-372-1719

TODD C. FINEBERG

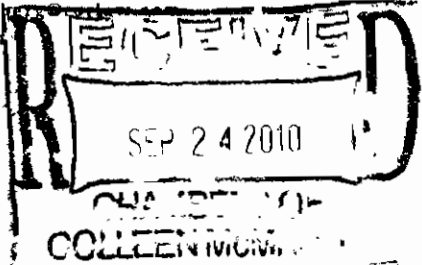
REPLY TO:

DIRECT TELEPHONE: 202-973-2990
tfine

1250 CONNECTICUT AVE., N.W.
SUITE 200
WASHINGTON, D.C. 20036
TELEPHONE 202-293-3300
FACSIMILE 202-293-3307

1200 BRICKELL AVENUE
MIAMI, FLORIDA 33131
TELEPHONE 305-350-5590
FACSIMILE 305-371-8989

61 BROADWAY
NEW YORK, NEW YORK 10006
TELEPHONE 212-344-6600
FACSIMILE 202-293-3307



MEMO ENDORSED

September 8, 2010

Via Facsimile: 212-805-6326

The Hon. Colleen McMahon
U.S. District Court for the Southern District New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

[Handwritten signature of Colleen McMahon]
9/27/10

Re: Shipco Transport Inc. v. JDB International, Inc., Civil Action No. 09 CV 7532
Filing date issue; Courtesy copy of Plaintiff's Response to Motion to Dismiss

Dear Judge McMahon:

By Stipulation and the Court's order, Plaintiff was to respond to Defendant's Motion to Dismiss on or before September 3, 2010. We did file the response on that date. But the filing was by e-mail to the Court's Judgments and Orders office. The filing should have been by ECF for this type of filing. We then filed by ECF on the next business day after Sept. 3 on Sept. 7. Given that the filing was made on time to the Court, albeit a different office, we respectfully request that the filing be treated timely on September 3. Future filings will be made correctly.

Please find enclosed a courtesy copy of Plaintiff's Response to the Motion to Dismiss.

Thank you for your consideration in this matter.

Respectfully Submitted,

**RODRIGUEZ O'DONNELL
GONZALEZ & WILLIAMS, P.C.**

By:

[Handwritten signature of Todd C. Fineberg]
Todd C. Fineberg, Esq. (TF 0980)

Cc: All Counsel for Defendants via e-mail.

